

STATE OF SOUTH CAROLINA) BEFORE THE STATE ETHICS COMMISSION
COUNTY OF RICHLAND)

In the Matter of:)
COMPLAINT C2010-077)

Silas Seabrooks,)
Respondent,)

State Ethics Commission,)
Complainant.)

CONSENT ORDER

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Pursuant to S.C. Code Ann. §§ 8-13-320(10)(i)(Supp. 2009), the State Ethics Commission reviewed the above captioned complaint on May 19, 2010, charging the Respondent, Silas Seabrooks, with four violations of Section 8-13-700(A) and found probable cause. Prior to the call of the case, Respondent agreed to entry of the following statement of facts, conclusions of law, discussion, admission, and disposition in this matter as follows.

STATEMENT OF FACTS

1. The Respondent, Silas Seabrooks, was the Mayor of Santee during all relevant times of this complaint matter.

2. In 2002 Santee Town Council passed Resolution 2002-07-03 which provided health insurance coverage to the town employees, mayor and council through the town's personnel policy.

3. Jason Purvis, Santee Town Administrator during the investigation, advised that Respondent did not participate in the town's health insurance; instead he participated in a health insurance plan offered by Orangeburg County. Respondent is a former Orangeburg County Councilman. Respondent pays for his wife's portion of the health

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insurance while the town pays the remainder of the insurance cost which exceeds the cost the town pays for the town council persons.

4. Rebecca Wright, Santee Town Clerk, advised that she has no knowledge concerning what entity authorized Respondent to have his health insurance through Orangeburg County. The following data showed what the town paid for the Santee Council persons and what the town was paying monthly for Respondent's Orangeburg County health insurance: The difference in the 2006 payments to Orangeburg County for Respondent's insurance and what Santee was paying for council's insurance was \$2038.92 for the year.

5. John Gilmore, Santee Mayor pro tem, stated that during the period that Santee Town Council approved the health insurance resolution, he recalled that Respondent requested the council allow him to retain his Orangeburg County health insurance. Gilmore advised that this matter was discussed by council; however, there was no formal action taken to authorize it. Gilmore further stated that he did not know that the town was paying Respondent's health insurance prior to the passage of the Town Resolution.

6. Donnie Hilliard, Santee Town Administrator from 2002 to 2006, stated that when he started working as administrator he discovered that Santee was issuing a monthly check payable to Respondent for his health insurance. Hilliard stated he changed this policy and directed that Respondent's health insurance payment be made directly to Orangeburg County. Hilliard had no idea how the practice of the town paying Respondent's insurance was initially begun.

CONCLUSIONS OF LAW

Based upon the Statement of Facts, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Silas Seabrooks, was a public official, as defined by S.C. Code Ann. § 8-13-100(29)(Supp. 2010).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) prohibits a public official from using his official office to obtain an economic interest for himself or an immediate family member.

DISCUSSION

The Respondent has served the citizens of Orangeburg County as an Orangeburg County Council Member and later as Mayor of the Town of Santee. In these capacities, he worked diligently to improve the quality of life for all citizens.

The demands of these positions were taxing but he had a commitment to serve his community. After leaving the Orangeburg County Council and becoming Mayor of Santee, South Carolina, the Town of Santee approved a program that provided insurance coverage for the Mayor and Town Council. The Respondent was already enrolled in an insurance program with Orangeburg County and desired to continue in that program. The Respondent thought that this arrangement had the approval of the Town Council. Every year the finances of the Town were audited and copies of the audit were provided to members of the Town Council and the Town Administrators. At no time did anyone call to the attention of the Respondent that the payments were improper. The Respondent accepts responsibility for the infraction caused by his conduct.

ADMISSIONS

The Respondent, Silas Seabrooks, admits to the violation in Count One of the Notice of Hearing.

DISPOSITION

The State Ethics Commission hereby finds Silas Seabrooks in violation of Section 8-13-700(A), dismisses Counts Two, Three and Four and hereby adopts the Statement of Facts, Conclusions of Law, Discussion, Admissions, and Disposition as agreed upon by Respondent.


THEREFORE, the State Ethics Commission hereby issues this written reprimand to Silas Seabrooks for his violation of Section 8-13-700(A) in Count One of the Ethics Reform Act,


AND, orders Respondent to pay a fine of \$1000.00 within 90 days of receipt of the signed order,

AND, orders Respondent to reimburse the Town of Santee \$2500.00 within 90 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 15th DAY OF JULY 2011.

STATE ETHICS COMMISSION


PHILLIP FLORENCE, JR.
CHAIR


Silas Seabrooks
Respondent